

The Washington State ARCHITECTS JOURNAL

*The Annual Publication of the Washington State
Board of Registration for Architects*

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Message from the Chair

By Henry C. Hardnett, Chair

The Washington Board of Registration for Architects is pleased to present this first issue of the annual "Architects Journal." We see this annual journal as an opportunity to communicate with licensed architects and other stakeholders on issues of interest to you, and to keep you informed about architect registration issues as they arise.

This first issue includes many topics that may already be familiar to you. You'll find an article about the new **Uniform Regulation of Business and Professions (URBP) Act**, which is included in the newly published law book you received in January. There is also an article about the newly revised **building guidelines** that includes the board's new definition of "review," which may affect the way you conduct your business. You'll find information on how you can **renew your license online** beginning this summer, how to **expand your education**, and hints on how to **use the website to find an architect**. There is even an answer to that age-old question, "**What IS welfare, anyway**, as it relates to 'protecting the public's health, safety, and welfare?'" We've given you information on the **role of the public member**. And, finally, we have included an article about ourselves, the **Board members**: who we are, how we operate, and what authority we have to regulate architect professionals.

As we move into this new century with its increasingly dynamic and sometimes uncertain circumstances, we hope you'll find the information in this and future issues of the Architects Journal to be informative, interesting and helpful in your professional practice. If you have suggestions for future topics, please call or email the Board office.

Administrative services are provided to the Board by the Department of Licensing. The Department and the Board have a policy of providing equal access to its services. If you need special accommodation, please call (360) 664-1575 or TTY (360) 664-8885.

Who Are Your Architect Board Members?

As a licensed architect or stakeholder, you may be interested in who sits on the Board of Registration for Architects ("Board"), what powers the Board possesses, and where and how often it meets.

Established in RCW 18.08.330, the seven-member Board includes six registered architects and one public member, all of whom are appointed by the Governor to serve six-year terms. The architect members must have at least eight years of experience in the practice of architecture to be eligible for appointment to the Board, and the public member can have no professional or financial affiliation with an architect.

Henry C. Hardnett, AIA, Board Chair, a Seattle resident, is a project manager for the U.S. Department of Health and Human Services, Indian Health Service. Henry has a Bachelor of Architecture from Howard University and Master of Architecture from Harvard University. He is licensed in Washington, Oregon and Pennsylvania. He taught thesis and upper level design in the Department of Architecture at Washington State University from 1976-1981, and served on the Seattle Design Commission, Holly Park Redevelopment Advisory Board and the AIA Seattle Diversity Roundtable. Henry chairs the Board Budget Committee and also serves on the Documents Com-

mittee. He was appointed to the board in 1997, his first term expiring on June 17, 2003.

David M. Scott, FAIA, Board Vice Chair, a Pullman resident, is a Professor Emeritus from Washington State University. He has been licensed in Washington since 1956. He has a degree in architectural engineering from Washington State University, was a Fulbright Fellow to the University of Liverpool School of Civic Design, and holds a Master of Architecture degree from the Massachusetts Institute of Technology. He received the first Jennie Sue Brown Award for Outstanding Service to the Architectural Profession by the Washington Council, AIA; eleven awards from the AIA and Washington State University for Outstanding Teaching; and the first Burlington Northern Faculty Achievement Award for Teaching at WSU. David recently served as moderator for the 2002 AIA-Seattle Honor Awards Jury. His current focus is advising public and private clients about architect selection methods. David was appointed to the board in 1998, his first term expiring on June 17, 2004.

Peter T.S. Rasmussen, FAIA, NCARB, Board Secretary, a Tacoma resident, is the founding principal (1974), President and CEO of Architects Rasmussen Triebelhorn (ART). He focuses on municipal architecture and planning, with a special emphasis on criminal justice facilities. Peter has an architect degree from Washington State University, and holds licenses in both Washington and Oregon. He is the National Council of Architectural Registration Boards (NCARB) Region 6 Director and member of the NCARB Board of Directors. He is also a member of the AIA National Committee on Justice Architecture, American Jail Association, and American Correctional Association. Peter is a Senior Fellow of the American Leadership Forum, past City of Tacoma Council Member and Deputy Mayor, and past and current chair and member of numerous boards, commissions and committees. Appointed to the Board in 1993, he serves on its Legislative and Investigations/Enforcement Committees. This is his second term, which expires on June 17, 2005.

Charles F. Farrell, AIA, a Camas resident, is a Managing Associate with LSW Architects, P.C., in Vancouver. He received his BA degree in Environmental Design from the University of Washington and has worked for architectural and structural engineering firms in Vancouver and Portland. The majority of his experience has been in designing educational facilities (K-12) with some commercial and industrial highlights. Charles is Chair of the Board Rules and

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Policies Committee, member of the Investigations/ Enforcement Committee, and past member of the Building Guidelines ad hoc committee. He was appointed in 2000 and will complete his first term on June 17, 2006.

William H. Trogdon, FAIA, an Orcas Island and Seattle resident, received his Bachelor of Architecture degree from the University of Washington and a Masters from Harvard Graduate School of Design, Walter Gropius Studio. He was registered in 1953 and has practiced architecture for 50 years as a Principal of TSG Architects of Spokane and Northwest Architectural Company, and now is semi-retired. Bill was past President of the Washington Council AIA, President of the AIA/Spokane Chapter, and has served on many AIA Honor Award Juries. He has served on numerous local, state, and regional offices and national professional and design boards and commissions, as well as teaching and lecturing at regional universities. He was appointed to the Board in 1991 and presently serves on the Documents and Budget Committee. He will finish his second and final term on June 17 of this year.

Benson A. Nielsen, AIA, NCARB, a resident of Spokane, received his Bachelor of Architecture degree from Montana State University. He has practiced architecture for 42 years, recently retiring as President of Northwest Architectural Company of Spokane and Seattle. His current focus is professional, educational and community volunteer service. He currently serves on the NCARB Architectural Registration Exam Committee. He is the Past President of the AIA/ Washington Council and Past President of AIA/ Spokane Chapter. Ben served on the Board and Executive Committee of the Spokane Area Chamber of Commerce. Presently he is the Board's Chair of the Legislative Committee and serves on the Rules and Policies Committee. Ben was appointed to the board in 2001 and his first term expires on June 17, 2007.

J. J. McCament, a resident of Pierce County, is the public member of the Board. She holds a BA degree from Fort Lewis College, Durango, Colorado, and an MBA from the University of Puget Sound. As a member of the City of Tacoma's Economic Development Department, J. J. is responsible for recruiting market-rate multi-family housing to downtown Tacoma, assisting commercial developers, and working on the new convention center and hotel. Under J. J.'s leadership as General Manager, the planned community of Northwest Landing received nine awards from the Seattle Master Builders Association in 1996. She

was named one of Puget Sound Business Journal's Newsmakers of the Year in 1995, and received the Director's Award from the City of Tacoma this year. J. J. was appointed to the Board in 2002, her first term expiring on June 17, 2008.

The Board has the authority to adopt rules and regulations that have the force of law. This authority enables the Board to establish standards of conduct to which all practitioners must adhere so that disciplinary action is avoided. The Board also has the authority to evaluate the qualifications of applicants and investigate complaints, and affect national architectural registration standards.

The Board meets five to six times a year: once each at the University of Washington and Washington State University to meet architect students and respond to questions, and other times in joint meetings with other professional affiliated groups such as the AIA Washington Council, Washington Association of Building Officials (WABO), and Board of Registration for Professional Engineers and Land Surveyors to discuss areas of mutual interest.

The 2003 meeting schedule is:

January 24:

Seattle (*University of Washington*)

April 17-18:

Leavenworth (Joint meeting with WABO)

July 25:

Tacoma

September 19:

Spokane (*WSU Design Institute*)

November 21:

Tacoma (Joint meeting with AIA WA Council)

You are invited to attend board meetings and give board members feedback on issues related to the licensing of architects. Meeting agendas, locations, times and minutes can be accessed on the architect website. ▲

Health, Safety and Welfare

In Washington, architects are licensed to “safeguard life, health, and property and to promote the public welfare” (RCW 18.08.235). Other state jurisdictions have the same or similar language. It is commonly known as protection of the public’s Health, Safety, and Welfare (HSW). Thus the Board of Registration for Architects (“Board”) and local building and planning officials are responsible for protecting the public against unsafe structures and unacceptable land use. Registration officials protect by ensuring that all design professionals have proper education, training, and testing. The Architect Registration Examination (ARE) tests on technical and practice issues. Building and planning officials communicate and enforce building code requirements and planning regulations.

To clarify the term “public welfare,” the Board adopted the following definition:

“Public welfare means that architects shall promote the enhancement of both the natural and built environment. These enhancements shall be functional, aesthetically pleasing, sustainable, and cost effective. The result of architects’ professional service shall contribute to the physical, socio-cultural, and emotional well-being of the public.”

This definition is based on a ruling by the **United States Supreme Court**, which found that “the values it [public welfare] represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled”. *Berman vs. Parker*, 348 U.S. 26,33 (1954).

Concurrently the National Council of Architectural Registration Board’s (NCARB) Procedures and Documents Committee (PDC) developed and presented a similar definition which was adopted in February 2002:

“An architect promotes the health, safety and welfare of the public by planning and designing buildings, structures, and the spaces within and surrounding such buildings and structures, that:

- *minimize the risk of injury to persons or property, and comply with all applicable building and safety codes;*
- *are durable, environmentally friendly, cost effective and conserve resources;*
- *are aesthetically appealing;*
- *function properly in all relevant respects; and*

- *enhance the public’s overall sense of well-being, harmony and community, and integrate effectively with the surrounding environment.*

An architect shall prefer the client’s interests over the architect’s interests and, when the issues are clear, the public’s interest over both.”

Consequently, it is necessary for an architect to be educated, trained, and also tested on those values in addition to testing on technical and practice issues. The Board hopes NCARB will consider and implement changes in the ARE to address that concern. The MODEL LAW should be revised accordingly. ▲

Online (Credit Card) Renewals Available Soon!

Architect licensees who receive renewal notices beginning in July 2003 will notice something different on your renewal notice. You will be receiving a “password” that gives you access to the Department of Licensing’s (DOL’s) online credit card license renewal system. We’ll send out the renewal notice about 12 weeks prior to the expiration date of your license. The notices mailed in July 2003 will be to architect licensees whose expiration dates are in October 2003, but you need not wait until October to pay – once you have a password, you can immediately pay online.

Your renewal notice will include your unique password and instructions on how to use the renewal process via a web address. At the web address, you will be asked to enter your unique password and to verify the information associated with that password.

Your credit card number is transmitted directly to the authorizing financial institution, and is not accessible by the Department or any other state agency. Only the last five digits of the account number are retained by DOL to help us troubleshoot any problems with the renewal transaction.

If you receive a password with your renewal notice, you are encouraged to use this service. We also want to hear what you think of this service, and encourage you to complete the online survey after the transaction has been completed.

Architect corporation Certificates of Authorization renewals are available only through standard mail services at this time. ▲

Role and Effectiveness of the Public Member

Our state statute calls for seven board members appointed by the governor. Six of the seven must be registered architects with at least eight year's experience, residing and registered in WA State. By definition, the remaining "public member" is not and never has been a registered architect, cannot be connected to an architect either professionally or financially, and is not in a position to employ or be an employed by an architect.

A 1952 survey of more than 1,000 licensing boards in 50 states showed only a handful of states had public members on regulatory boards. By the late 1970's, 31 states had placed public members on professional boards. Washington State's Chapter 18.08 RCW, adopted in 1985, outlines the Board's mission and legislative authority, as well ensuring the participation of a public member.

A number of states including California, Iowa, Massachusetts, Arkansas and Maryland have conducted and published research aimed at measuring the effectiveness of public members on regulatory boards. Admittedly, results have been mixed. In the most successful situations, public members have balanced their professional counterparts by being effective public advocates, bringing about changes that benefit consumers while protecting the health, safety and welfare of the public.

Washington's strong commitment to an open public process supports the continued participation of public members as a vital ingredient in our democratic process. ▲

An Alert! There Is A New Law That Applies To All Licensed Design Professionals!

As a Washington licensed architect or stakeholder, you should have received a copy of the architect "law book" from the Board a couple of months ago. It includes the law and rules related to the practice of architecture (Chapters 18.08 RCW, and 308-12 WAC) and also now incorporates the Uniform Regulation of Business and Professions (URBP) in 18.235 RCW.

The URBP was passed by the Washington Legislature in 2002 and became effective on January 1, 2003. The URBP standardizes the disciplinary process for the 25 businesses and professions regulated by the Business and Professions Division (BPD) of the Department of Licensing

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Need To Look Up An Architect Or Other Professionals?

Here are some "Helpful Hints" on using the Professional Licensing Internet Query System. You may access the Query System through the Architect web site listed on page 2 of this newsletter.

The Internet Query look-up resource available from the Department of Licensing allows you to look up your license or the professional license of any other person. It may be found by accessing the Board's website listed on the front of the newsletter. If your search ends in "no results found," keep in mind that, as with many search engines, you may not get a good result if you enter too much information.

HINT 1: Under Profession, select Architects

HINT 2: Enter either individual or business name (we license architectural general stock corporations so this is all that is listed; business name is not where the licensee works). Do not enter both, even if you know both.

HINT 3: Enter last name only. Do not enter first name even if you know it; your results list won't be that long.

HINT 4: Spell name correctly and, if you do not know the spelling, try to enter the first few letters and the system will help you.

HINT 5: Leave "City" blank unless you are certain. The system searches by licensee mailing address; some are offices, some are personal (home) addresses in another city.

HINT 6: Leave on "All Counties" unless you are absolutely certain of the county where the mailing address is located; this is especially important in larger city areas. Again, your results list won't be that long..

HINT 7: At bottom of the "All Counties" list, you will find "APO," "Out of State," and "Out of Country." "Out of State" is important if you are searching for a person who may be commuting across a state border whose mailing address could be in another state.

(DOL) by bringing them under a common administrative structure. The legislature took similar action for the health professions in the mid 1980's through passage of the Uniform Disciplinary Act (UDA).

History/Background

BPD has 25 regulatory programs that license businesses and professionals through “preventive enforcement” by evaluating qualifications and, in the case of architects and some other professionals, by testing applicants before issuing a license. This keeps unqualified individuals from entering practice, and reduces the likelihood that they might injure the public.

All BPD programs also have authority within their individual laws to protect the public in the practice of a profession or business. When consumers report violations of the architect law, the architect program, like other programs, must then conduct investigations of consumer complaints and enforce disciplinary actions, when appropriate, through administrative proceedings.

Prior to the URBP, the regulatory provisions of BPD's 25 programs for enforcement of disciplinary actions varied. Some programs had little enforcement authorization and others had clear authority to suspend or revoke a license, issue monetary fines and pursue remedies for unlicensed practice.

The architect program had some enforcement authority, but not as much as other programs like geologists or funeral directors. With the passage of the URBP, individual program laws pertaining to adjudicative procedures and grounds for disciplinary actions were amended to eliminate duplicative or inconsistent laws. That's why, when you look at the architect law, you will see that some sections have been repealed – the old clauses are not gone; they are just now covered in the URBP to eliminate duplication.

Purpose

Combining all sanctions and disciplinary authorities into one law provides for easier, more consistent administration among all the professions. It also provides individuals and businesses practicing architecture with a clearer definition of the standards to which they will be held. Most importantly, it provides consistent, fair and uniform rules that can be used by all the various licensing programs within BPD to ensure protection of the public.

Under the URBP, **members of the public** have:

- A clearer definition of the kinds of activities which constitute unprofessional conduct by licensees, and
- A uniform set of disciplinary sanctions that protect the public from unprofessional conduct.

Licensees have:

- Notice of those behaviors that constitute grounds to initiate disciplinary actions, and
- An ability to use rehabilitation options in resolving concerns about the quality of their practice

And, **the disciplinary authority (i.e., the Board)** has:

- More flexibility in the way disciplinary actions can be resolved;
- A uniform set of disciplinary sanctions that not only protect the public from unprofessional conduct, but also promote rehabilitation for individual licensees, and
- The ability to deal more effectively with unlicensed practice.

The Importance Of Due Process

Of course, one essential element of democracy is the right to “due process,” guaranteed in the Fifth Amendment of the U.S. Constitution. Additionally, the Fourteenth Amendment says that, “No state shall make . . . nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.” Washington state's own Constitution, in Article 1, Section 3, says that, “No person shall be deprived of life, liberty, or property, without due process of law.”

Procedural due process protects the rights of licensees and those practicing without a license by granting them fundamental rights such as the right to be heard, the right to be notified, meaningful notice and opportunity to be heard, and the appearance of fairness. You can be assured that due process will be afforded to any licensed or unlicensed individuals during any adjudicative process.

If you'd like to read the entire contents of the URBP (it's good reading!), go to the Board website address listed on page 2 of this newsletter and click on the URBP under “Quick Clicks.” ▲

Quack And Quack, Architects

If it walks and talks like a duck, is it necessarily a duck? Most likely.

If you walk and talk like an architect, are you necessarily an architect? Maybe not.

You are an architect in the State of Washington only if you're registered by the Department of Licensing. This means that you can't practice architecture or imply that you are practicing architecture by using the word “archi-

tect” or any derivative of that word without an architect license.

“But I’m as knowledgeable as the architects in our firm and I function as a project architect, so why shouldn’t I be called a project architect?”

Many firms call staff members project architects because they walk and talk like one. Some apply that title to business cards, promotional materials or project documents. That is simply against the law (RCW 18.08.310).

“So, what DO I call myself?”

That is a question best answered by what you do. Here are some suggestions. Do any of them fit your job description? If not, make up your own (as long as you don’t use “architect” or its variables!).

Intern, Project manager

Team leader, Project leader

Production manager, Production associate

CAD manager, Director of design

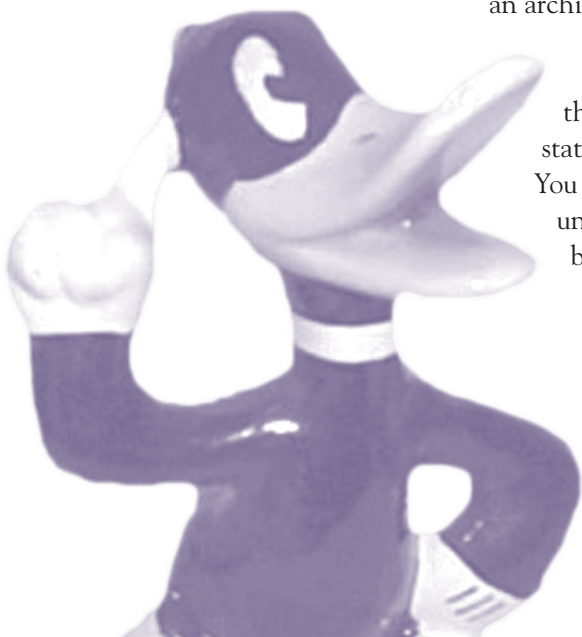
Design associate, Duck

From duck to duck soup.

What’s in a name? If the name of your firm includes the name or names of individuals who are active in the firm and also includes the word “architect” or any derivative of that word, you must make sure that each of those individuals is currently registered in the State of Washington. For example: if your firm name is “Patterson and Payne Architects,” both Patterson and Payne must be registered architects if they are active in the firm. The policy of the Board is that, if a firm name includes the name of a person that is no longer practicing architecture, or has let his or her license lapse, the public is not likely to be misled. The Board takes no position on the use of generic names in the firm name, such as “Darn Good Design Architecture,” except that there must be an architect in the organization.

“OK, I’m registered in ten states, so why do I have to be registered in Washington State before I can call myself an architect in this

state”? Because it’s the law. It is the law in every state in the Union. You are not a duck until you have been licensed. ▲



Washington State Building Guidelines Have Been Updated

Administrative guidelines, like most other facets of life, demand some ongoing attention if they are to retain their vitality and relevance. In response to that reality, in 2001 Architect Board members Bill Trogon and Chuck Farrell spent numerous days locked in a room with other board members representing the Landscape Architect, Geologist, and Engineer Boards, a couple of administrators, a building official or two, and a representative from the non-licensed building designers. The task put to this diverse group was to review and update the Department of Licensing’s “Guidelines for Washington State Building Officials and Design Professionals” handbook, first published in 1990 and amended in 1998. This was a very rewarding experience, leaving the reviewers with an expanded knowledge of our state’s laws regarding professional licensure as well as substantially clarifying the handbook’s usefulness for practitioners in the environmental and design professions.

The latest edition of the “Guidelines” published on May 1, 2002 is the result of those efforts, and is designed as a convenient reference for building officials and design professionals regarding the Washington State laws and rules related to licensed design professionals. It’s available from the Department of Licensing or on the web from the “Guidelines” link on the Board’s website.

The current version contains several changes, including the addition of two licensed professional groups: on-site wastewater system designers and geologists. One of the architectural highlights refers to the recent change in WAC 308-12-115 (8), which defines the word “review” as it relates to stamping of documents that were prepared by others. To quote the WAC, “Review = A continuous process of examination, evaluation, and direction throughout the development of the documents, which includes the ability to control the final product.” As you can see, this is contrary to the idea of merely looking though a set of completed documents and stamping them if they look OK. The intent is to make it clear that an architect is responsible for all documents bearing his or her stamp, as if the architect personally prepared the documents, or supervised their preparation.

The Guidelines contain samples of the professional stamps, submittal document references to the Washington State Building Code, definitions, general areas of responsibility, and appropriate references to the RCW and the WAC, for architecture, engineering, land surveying, landscape architecture, geology and on-site wastewater design, as well as a question and answer section and a list of recommended minimum requirements for building permit applications.

Continues next page

A few things that every architect should know:

- The building official may require the design of a licensed architect or engineer even if not required by state law.
- As a licensed architect, you must stamp all documents submitted for the purpose of obtaining a building permit whether the work is exempt or not. Other documents need not be stamped.
- Your Washington license makes you an architect in the state of Washington and nowhere else. An architect license from any other jurisdiction does not make you an architect in Washington.
- Know the WAC meaning of “review” (see above). ▲

NCARB'S Monograph Series

In increasing numbers, the National Council of Architectural Registration Board's (NCARB's) member boards are requiring evidence of lifelong learning demonstrated by the earning of Professional Development Units (PDUs) when architects apply for license renewal. While continuing education is not currently a requirement for license renewal in Washington, it has already been adopted by 21 states and 6 more have pending legislation.

For license holders in Washington who are also AIA members, you already know continuing education credits (LUs) are required annually to maintain your AIA membership.

As one result of this development in continuing professional education, NCARB has been developing a Monograph Series to provide a quality continuing education resource that is both economical and convenient, and that investigates current and emerging topics of interest to practicing architects. To earn PDUs, NCARB now offers 11 titles with more on the way. The Monograph Series explores everything from sustainable design, to fire safety in buildings, to professional conduct. One Monograph Series, “Low Slope Roofing II,” recently won Construction Specification Institute's (CSI's) Publication Commendation in the Special Publications Category.

NCARB monographs are in a self-taught open-book study and short multiple-choice quiz format. The 50-250 page books are all on subjects that focus on health, safety, and welfare (HSW) considerations, typically offer 10-14 PDUs and are now available online. Quizzes, with instant one-click scoring results, are offered for your convenience. Cost per learning unit averages \$12.50. And each Monograph is an excellent addition to your reference library.

Professional Development Units may be used in jurisdictions where evidence of lifelong learning/continuing education is required both for license renewal and AIA membership. AIA members in Washington State are encouraged to consider one Monograph each year for earning all 8 HSW units along with AIA Continuing Education for the balance of the 18 AIA-required LU credits.

NCARB has the answer to keeping your skills and knowledge up-to-date using these high quality educational resources. Try a Monograph soon! You can learn while relaxing in your favorite armchair.

Go to www.ncarb.org/continuing or www.ncarb.org/publications/pdpmonographs.html for more information.

